



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 8

999 18<sup>TH</sup> STREET- SUITE 200

DENVER, CO 80202-2466

Phone 800-227-8917

<http://www.epa.gov/region08>

Ref: 8ENF-L

December 20, 2005

Richard O. Curly, Jr. Esq.  
Holland & Hart  
555 Seventeenth Street  
Suite 3200  
Denver, CO 80202-3979

Re: Richardson Flat Record of Decision

Dear Mr. Curly:

Enclosed please find a copy of EPA's Record of Decision ("ROD") for the Richardson Flat site pursuant to your request. If you and/or your client would like better copies of some of the attachments, please give Peggy Churchill, EPA's remedial project manager, a call at (303)312-6137.

As we have discussed, EPA has formally requested the assignment of a Department of Justice (DOJ) attorney to the site so we can begin our past cost settlement negotiations. We expect to be notified of the assignment by mid-January. In the meantime, if you have language from other consent decrees you have negotiated with DOJ that you would like to see included in this consent decree, please forward those on and we will consider those as we begin to draft the past cost consent decree for this site.

I would also like to inform you that Peggy Livingston, a senior attorney at EPA, has been assigned to this site, and will be working with the DOJ attorney on the past cost settlements. Peggy can be reached at (303)312-6858. Peggy and I will be transitioning the site over the next several weeks so there will be no loss of continuity.

If you have any questions on the ROD or the upcoming settlement negotiations, please give me a call at (303)312-6642.

Sincerely,

A handwritten signature in black ink, appearing to read "Richard H. Baird". The signature is fluid and cursive, with a large initial "R" and "B".

Richard H. Baird  
Senior Enforcement Attorney

Cc: Peggy Livingston, 8ENF-L, w/o encl.  
Maureen O'Reilly, 8ENF-T, w/o encl.

Enclosure: Richardson Flat ROD

